

Report of the Corporate Director of Planning & Community Services

Address 505-509 (INCLUDING 89-91 GRANGE ROAD) UXBRIDGE ROAD HAYES

Development: Redevelopment of site to provide 45 residential units with associated access, amenity space, landscaping and car parking. (Amended plans)

LBH Ref Nos: 9912/APP/2009/1907

Drawing Nos: Design & Access Statement
Supporting Planning Statement
08902/PL/01
08902/PL/02
08902/PL/14
08902/PL/15
7031-2
Replacement of Existing Buildings Justification Statement
Transport Statement
Acoustic Assessment
Air Quality Assessment
Sunlight & Daylight Assessment
Arboricultural Survey & Schedule
Energy Strategy
Sustainable Design & Construction Statement
Code for Sustainable Homes Pre-Assessment Report
Contamination Assessment
08902/PL/10 Rev B
Schedule of Accommodation (08902/PL/13 Rev C)
08902/PL/03 Rev D
08902/PL/04 Rev F
08902/PL/06 Rev C
08902/PL/05 Rev D
08902/PL07 Rev C
08902/PL/09 Rev E
08902/PL/11 Rev C
08902/PL/12 Rev D
08902/PL/08 Rev D

Date Plans Received:	14/08/2009	Date(s) of Amendment(s):	14/08/2009
Date Application Valid:	14/08/2009		12/11/2009
			26/11/2009
			04/02/2010

DEFERRED ON 3rd November 2009 FOR FURTHER INFORMATION .

This application was deferred at the meeting of the Committee on 26th January 2010 to enable a members' site visit. In addition, since the meeting further amended plans have been received showing one of the ground floor flats (Unit 9) in the block on the corner of Grange Road and Elmlea Drive reduced from a four bedroom to 3 bedroom unit. This has enabled habitable room windows at ground floor in this block directly facing Elmlea Drive to be avoided. All windows at ground floor in this elevation are now shown to be high level and obscured glazed. Additional soft landscaping has also been incorporated along this elevation and additional trees are proposed in the car parking area adjacent to the children's play area.

1. SUMMARY

This application seeks full planning permission for the redevelopment of the above site by the erection of 3 three storey buildings comprising 45 residential units. A separate application for conservation area consent is also sought for the demolition of the existing buildings, required to facilitate the proposed development. This is the subject of a separate committee report. The application is a revised proposal following the refusal of planning permission and conservation area consent for a previous scheme for 70 residential units. That scheme also included the demolition of the adjoining dwelling at No. 511 Uxbridge Road. Appeals to the Planning Inspectorate against these decisions were subsequently dismissed. It should be noted that the current scheme is substantially different from the appeal scheme. The scheme has been further reduced from 47 to 45 residential units since submission of the application.

The revised proposal is considered to have satisfactorily addressed the reasons for refusal and the Inspector's concerns in relation to the previous scheme and is now considered to be compatible with the character and appearance of the Hayes Village Conservation Area and the local context. It is therefore recommended that permission be granted subject to the applicant entering into an agreement with the Council under Section 106 of the Town and Country Planning Act 1990 (as amended) and appropriate conditions.

2. RECOMMENDATION

That delegated powers be given to the Director of Planning and Community Services to grant planning permission, subject to the following:

a. That the Council enters into an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or Section 278 of the Highways Act 1980 and/or other appropriate legislation to secure the following:

(i) The provision of affordable housing equivalent to 47.4% of the total number of habitable rooms comprised within the residential units on the site of which at least 71.9% are to be of social rented tenure.

(ii) A financial contribution of £74,212 towards education facilities.

(iii) A financial contribution of £19,639 towards primary health care facilities.

(iv) A financial contribution of £2,084 towards library provision.

(v) A financial contribution of £4,065 for project management and monitoring.

(vi) A scheme for the provision of on site construction training or a financial contribution towards construction training at a rate of £2,500 for every £1m of construction cost.

(vii) A 10 year Green Travel Plan for the site including the provision of a car club on the site, with the applicant/developer to pay full membership for users of the car club for a minimum of 2 years following occupation of the development.

(viii) Details and implementation of the proposed highway works to Grange Road including the provision of yellow box markings on the northbound side of Grange Road and closure of the existing vehicular accesses to the site.

b. That the applicant meets the Council's reasonable costs in the preparation of the Section 106 agreement and any abortive work as a result of the agreement not being completed.

c. That the officers be authorised to negotiate and agree detailed terms of the proposed agreement.

d. That the application is reported back to the Planning Committee, if the Section 106 agreement is not completed within a period of 6 months from the date of Committee consideration.

e. That if the application is approved, the following conditions be attached:

1 T8 Time Limit - full planning application 3 years

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

2 OM1 Development in accordance with Approved Plans

The development shall not be carried out otherwise than in strict accordance with the plans hereby approved unless consent to any variation is first obtained in writing from the Local Planning Authority.

REASON

To ensure that the external appearance of the development is satisfactory and complies with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

3 M1 Details/Samples to be Submitted

No development shall take place until details and/or samples of all materials, colours and finishes to be used on all external surfaces have been submitted to and approved in writing by the Local Planning Authority.

Such details shall include architectural details of the proposed vehicular entrance barrier, entrance gates and other boundary treatment; timber trellises and balcony railings; the stair enclosure glazing, roof structure and solar panels; high level screens and storage buildings at ground level.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

4 M3 Boundary treatment - details

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the buildings are occupied. Development shall be carried out in accordance with the approved details.

REASON

To safeguard the visual amenities of the area in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

5 H7 Parking Arrangements (Residential)

The parking areas (including where appropriate, the marking out of parking spaces) including any garages and car ports shown on the approved plans, shall be constructed, designated and allocated for the sole use of the occupants prior to the occupation of the development and thereafter be permanently retained and used for no other purpose.

REASON

To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan. (February 2008).

6 MCD10 Refuse Facilities

No part of the development shall be occupied until the covered and secure refuse and recycling storage facilities shown on the approved plans have been provided in accordance with the approved details and thereafter the facilities shall be permanently retained.

REASON

In order to safeguard the amenities of the area, in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policy 4B.1.

7 H16 Cycle Storage Facilities

No part of the development shall be occupied until the covered and secure cycle storage facilities for 58 cycles shown on the approved plans have been provided in accordance with the approved details and thereafter the facilities shall be permanently retained.

REASON

To ensure the provision and retention of facilities for cyclists to the development and hence the availability of sustainable forms of transport to the site in accordance with Policy AM9 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan (February 2008).

8 TL5 Landscaping Scheme - (full apps where details are reserved)

No development shall take place until a landscape scheme providing full details of hard and soft landscaping works has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The scheme shall include: -

- Planting plans (at not less than a scale of 1:100),

- Written specification of planting and cultivation works to be undertaken,
- Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate,
- Implementation programme.

The scheme shall also include details of the following: -

- Proposed finishing levels or contours,
- Means of enclosure,
- Car parking layouts,
- Other vehicle and pedestrian access and circulation areas,
- Hard surfacing materials proposed,
- Minor artefacts and structures (such as play equipment, furniture, refuse storage, signs, or lighting),
- Existing and proposed functional services above and below ground (e.g. drainage, power cables or communications equipment, indicating lines, manholes or associated structures),
- Retained historic landscape features and proposals for their restoration where relevant.

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

9 TL6 Landscaping Scheme - implementation

All hard and soft landscaping shall be carried out in accordance with the approved landscaping scheme and shall be completed within the first planting and seeding seasons following the completion of the development or the occupation of the buildings, whichever is the earlier period.

The new planting and landscape operations should comply with the requirements specified in BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' and in BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which within a period of 5 years from the completion of development dies, is removed or in the opinion of the Local Planning Authority becomes seriously damaged or diseased shall be replaced in the same place in the next planting season with another such tree, shrub or area of turfing or seeding of similar size and species unless the Local Planning Authority first gives written consent to any variation.

REASON

To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

10 TL7 Maintenance of Landscaped Areas

No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the arrangements for its implementation. Maintenance shall be carried out in accordance with the approved

schedule.

REASON

To ensure that the approved landscaping is properly maintained in accordance with policy BE38 of the Hillingdon Unitary Development Plan (September 2007).

11 N1 Noise-sensitive Buildings - use of specified measures

Development shall not begin until a scheme for protecting the proposed development from road traffic noise based on the recommendations contained in the acoustic assessment by Philip Acoustics Ltd accompanying the application has been submitted to and approved in writing by the Local Planning Authority. All works which form part of the scheme shall be fully implemented before the development is occupied and thereafter shall be retained and maintained in good working order for so long as the building remains in use.

REASON

To ensure that the amenity of the occupiers of the proposed development is not adversely affected by road traffic noise in accordance with policy OE5 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 4A.20 of the London Plan (February 2008).

12 H3 Vehicular access - details to be submitted

Notwithstanding the details shown on the approved drawings, no development shall take place until details of the proposed vehicular access to Grange Road have been submitted to, and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the approved vehicular access has been constructed.

REASON

In the interests of pedestrian safety in Grange Road in accordance with Policy AM8 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan. (February 2008)

13 H12 Closure of Existing Access

The existing vehicular accesses at the site, shall be closed, the dropped kerbs removed and the footway reinstated to match the adjoining footway within one month of the new access to be approved under condition 12 being completed.

REASON

To ensure that pedestrian and vehicular safety is not prejudiced in accordance with Policies AM3 and AM8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan. (February 2008).

14 DRC6 Contaminated Land - survey and remedial works

Development shall not begin until a site survey to assess contamination levels has been carried out to the satisfaction of the Local Planning Authority. The survey shall be undertaken at such points and to such depth as the Local Planning Authority may stipulate. A scheme for removing or rendering innocuous all contaminants from the site shall be submitted to and approved in writing by the Local Planning Authority and all works that form part of this scheme shall be completed before any part of the development is occupied.

REASON

To ensure that the occupants of the development are not subjected to any risks from soil contamination in accordance with Policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy A.33 of the London Plan (February 2008).

15 SUS1 Energy Efficiency Major Applications (full)

The measures to reduce the energy demand and carbon dioxide emissions of the development and to provide 20% of the sites energy needs through renewable energy generation contained within the submitted report entitled Energy Strategy dated July 2009 shall be integrated into the development and thereafter permanently retained and maintained.

REASON

To ensure that the development incorporates appropriate energy efficiency measures in accordance with policies 4A.1, 4A.3, 4A.4, 4A.6, 4A.7, 4A.9, and 4A.10 of the London Plan (February 2008).

16 SUS4 Code for Sustainable Homes details

No development shall take place until an initial design stage assessment by an accredited assessor for the Code for Sustainable Homes and an accompanying interim certificate stating that each dwelling has been designed to achieve level 3 of the Code has been submitted to, and approved in writing, by the local planning authority. No dwelling shall be occupied until it has been issued with a final Code certificate of compliance.

REASON

To ensure that the objectives of sustainable development identified in policies 4A.1 and 4A.3 of the London Plan (February 2008).

17 SUS8 Electric Charging Points

Before development commences, plans and details of 4 electric vehicle charging points, serving the development and capable of charging multiple vehicles simultaneously, shall be submitted to and approved in writing by the Local Planning Authority.

REASON

To encourage sustainable travel and to comply with London Plan Policy 4A.3.

18 OM14 Secured by Design

The development hereby approved shall incorporate measures to minimise the risk of crime and to meet the specific security needs of the application site and the development. Details of security measures shall be submitted and approved in writing by the Local Planning Authority before development commences. Any security measures to be implemented in compliance with this condition shall reach the standard necessary to achieve the 'Secured by Design' accreditation awarded by the Hillingdon Metropolitan Police Crime Prevention Design Adviser (CPDA) on behalf of the Association of Chief Police Officers (ACPO).

REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998

to consider crime and disorder implications in excising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with policies 4B.1 and 4B.6 of the London Plan.

19 DIS1 Facilities for People with Disabilities

All the facilities designed specifically to meet the needs of people with disabilities that are shown on the approved plans shall be provided prior to the occupation of the development and thereafter permanently retained.

REASON

To ensure that adequate facilities are provided for people with disabilities in accordance with Policy AM13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policies 3A.13, 3A.17 and 4B.5.

20 DIS2 Access to Buildings for People with Disabilities

Development shall not commence until details of access to building entrances (to include ramped/level approaches, signposting, types and dimensions of door width and lobby openings) to meet the needs of people with disabilities have been submitted to and approved in writing by the Local Planning Authority. The approved facilities should be provided prior to the occupation of the development and shall be permanently retained thereafter.

REASON

To ensure that people with disabilities have adequate access to the development in accordance with Policy AM13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan Policies (February 2008) Policies 3A.13, 3A.17 and 4B.5.

21 DIS3 Parking for Wheelchair Disabled People

The development shall not be occupied until the 5 car parking spaces for people with disabilities shown on drawing no. 08902/PL/04 Rev F have been implemented and thereafter these facilities shall be permanently retained.

REASON

To ensure that people in wheelchairs are provided with adequate car parking and convenient access to building entrances in accordance with Policy AM5 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

Note: wheelchair users are not the only category of people who require a 'disabled' parking space. A Blue Badge parking space can also be used by people who have a mobility impairment (full-time wheelchair users account for only a small percentage of this category) including elderly people, visually impaired people having a sighted driver, children having bulky equipment such as oxygen cylinders that have to be transported with them, etc.

22 DIS4 Signposting for People with Disabilities

Signplates, incorporating a representation of the Universal Wheelchair Symbol, should be displayed to indicate the location of convenient facilities to meet the needs of people

with disabilities. Such signplates should identify or advertise accessible entrances to buildings, reserved parking spaces, accessible lifts and lavatory accommodation, manageable routes through buildings and availability of additional services. Signs for direction and location should have large characters or numerals and clearly contrast with the background colour.

REASON

To ensure that people with disabilities are aware of the location of convenient facilities in accordance with Policy AM13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

23 DIS5 Design to Lifetime Homes Standards & to Wheelchair Standards

All residential units within the development hereby approved shall be built in accordance with 'Lifetime Homes' Standards. Further 11% of the units hereby approved shall be designed to be fully wheelchair accessible, or easily adaptable for residents who are wheelchair users, as set out in the Council's Supplementary Planning Document 'Hillingdon Design and Accessibility Statement: Accessible Hillingdon'.

REASON

To ensure that sufficient housing stock is provided to meet the needs of disabled and elderly people in accordance with London Plan (February 2008) Policies 3A.5, 3A.13, 3A.17 and 4B.5.

24 TL20 Amenity Areas (Residential Developments)

None of the dwellings hereby permitted shall be occupied, until the outdoor amenity area serving the dwellings as shown on the approved plans (including balconies where these are shown to be provided) has been made available for the use of residents of the development. Thereafter, the amenity areas shall so be permanently retained.

REASON

To ensure the continued availability of external amenity space for residents of the development, in the interests of their amenity and the character of the area in accordance with policy BE23 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policy 4B.1.

25 OM2 Levels

No development shall take place until plans of the site showing the existing and proposed ground levels and the proposed finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter the development shall not be carried out other than in accordance with the approved details.

REASON

To ensure that the development relates satisfactorily to adjoining properties in accordance with policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

26 OM11 Floodlighting

No floodlighting or other form of external lighting shall be installed unless it is in accordance with details which have previously been submitted to and approved in writing

by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting that is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority other than for routine maintenance which does not change its details.

REASON

To safeguard the amenity of surrounding properties in accordance with policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and in the interests of highway safety and London Plan (February 2008) Policy 4B.1.

27 OM19 Construction Management Plan

Prior to development commencing, the applicant shall submit a demolition and construction management plan to the Local Planning Authority for its approval. The plan shall detail:

- (i) The phasing of development works
- (ii) The hours during which development works will occur (please refer to informative 7 for maximum permitted working hours).
- (iii) A programme to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed safely and intact for later re-use or processing.
- (iv) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).
- (v) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours).
- (vi) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.
- (vii) The storage of demolition/construction materials on site.

The approved details shall be implemented and maintained throughout the duration of the demolition and construction process.

REASON

To safeguard the amenity of surrounding areas in accordance with Policy OE1 of the Hillingdon Unitary Development Plan (Saved Policies 2007).

28 NONSC Obscure glazed screening to roof gardens

No development shall taken place until details of permanently obscure glazed screening to the perimeter of the proposed roof gardens have been submitted to, and approved in writing by the Local Planning Authority. None of the dwellings hereby permitted shall be occupied until the approved screening has been installed. Thereafter the approved screening shall be permanently retained.

REASON

To safeguard the privacy of the occupiers of neighbouring residential properties in accordance with Policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

29 TL2 Trees to be retained

Trees, hedges and shrubs shown to be retained on the approved plan shall not be

damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority.

If any retained tree, hedge or shrub is removed or severely damaged during construction, or is found to be seriously diseased or dying another tree, hedge or shrub shall be planted at the same place and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'. Remedial work should be carried out to BS 3998 (1989) 'Recommendations for Tree Work' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and to comply with Section 197 of the Town and Country Planning Act 1990.

30 TL3 Protection of trees during site clearance and development

Prior to the commencement of any site clearance or construction work, detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres. The fencing shall be retained in position until development is completed. The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

1. There shall be no changes in ground levels;
2. No materials or plant shall be stored;
3. No buildings or temporary buildings shall be erected or stationed.
4. No materials or waste shall be burnt; and
5. No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

REASON

To ensure that trees and other vegetation to be retained are not damaged during construction work and to ensure that the development conforms with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

31 NONSC Obscure glazed screening to balconies

Development shall not begin until details of permanently obscure glazed screening / balustrading for the proposed balconies have been submitted to and approved in writing by the Local Planning Authority and no residential unit shall be occupied until the

approved screening relating to that unit has been erected.

REASON

In the interests of visual amenity in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

32 NONSC Details of entrance barrier to car park

Prior to the commencement of the development hereby approved details of the entrance barrier and access gate to the car park, incorporating facilities for their operation by disabled persons, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the entrance barrier and access gate shall be installed in accordance with the approved details and maintained in perpetuity.

REASON

In order to ensure that the development achieves an appropriate level of accessibility in accordance with Policy 3A.5 of the London Plan and the Hillingdon Design and Accessibility Statement Accessible Hillingdon Supplementary Planning Document.

33 NONSC Visibility splays

The access for the proposed car parking spaces shall be provided with those parts of 2.4m x 2.4m pedestrian visibility splays which can be accommodated within the site in both directions and shall be maintained free of all obstacles to the visibility between heights of 0.6m and 2.0m above the level of the adjoining highway.

REASON

In the interests of pedestrian and highway safety in accordance with Policies AM7 and AM8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan (February 2008).

34 NONSC Details of hardstanding

No part of the development shall be occupied until the hardstanding area has been laid out, surfaced and drained in accordance with details first submitted to, and approved in writing by, the Local Planning Authority and the approved hardstanding shall be permanently maintained thereafter.

REASON

To avoid surface water from the application site draining onto the highway or discharging into the highway drainage system in accordance with Policy OE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

35 SUS5 Sustainable Urban Drainage

No development shall take place on site until details of the incorporation of sustainable urban drainage have been submitted to, and approved in writing by the Local Planning Authority. The approved details shall thereafter be installed on site and thereafter permanently retained and maintained.

REASON

To ensure that surface water run off is handled as close to its source as possible in compliance with policy 4A.14 of the London Plan (February 2008) and to ensure the development does not increase the risk of flooding contrary to Policy OE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), policies 4A.12 and 4A.13 of the London Plan (February 2008) and PPS25.

36 NONSC Grey water recycling

No development shall take place on site until details of the incorporation of grey water recycling or rainwater harvesting have been submitted to, and approved in writing by the Local Planning Authority. The approved details shall thereafter be installed on site and thereafter permanently retained and maintained.

REASON

To minimise the use of water on site in compliance with policy 4A.16 of the London plan (February 2008).

INFORMATIVES

1 I52 Compulsory Informative (1)

The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

2 I53 Compulsory Informative (2)

The revised proposal is considered to have satisfactorily addressed the reasons for refusal and the Inspector's concerns in relation to the previous scheme and is now considered to be compatible with the character and appearance of the Hayes Village Conservation Area and the local context.

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) and national guidance.

BE4	New development within or on the fringes of conservation areas
BE13	New development must harmonise with the existing street scene.
BE18	Design considerations - pedestrian security and safety
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

OE5	Siting of noise-sensitive developments
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
H3	Loss and replacement of residential accommodation
H4	Mix of housing units
H5	Dwellings suitable for large families
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
LE4	Loss of existing industrial floorspace or land outside designated Industrial and Business Areas
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons

3 I1 Building to Approved Drawing

You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.

4 I11 The Construction (Design and Management) Regulations 1994

The development hereby approved may be subject to the Construction (Design and Management) Regulations 1994, which govern health and safety through all stages of a construction project. The regulations require clients (ie. those, including developers, who commission construction projects) to appoint a planning supervisor and principal contractor who are competent and adequately resourced to carry out their health and safety responsibilities. Further information is available from the Health and Safety Executive, Rose Court, 2 Southwark Bridge Road, London, SE1 9HS (telephone 020 7556 2100).

5 I12 Notification to Building Contractors

The applicant/developer should ensure that the site constructor receives copies of all drawings approved and conditions/informatives attached to this planning permission. During building construction the name, address and telephone number of the contractor (including an emergency telephone number) should be clearly displayed on a hoarding visible from outside the site.

6 I14C Compliance with Building Regulations Access to and use of

You are advised that the scheme is required to comply with either:-

- The Building Regulations 2000 Approved Document Part M 'Access to and use of buildings', or with
 - BS 8300:2001 Design of buildings and their approaches to meet the needs of disabled people - Code of practice.
- AMD 15617 2005, AMD 15982 2005.

These documents (which are for guidance) set minimum standards to allow residents, workers and visitors, regardless of disability, age or gender, to gain access to and within buildings, and to use their facilities and sanitary conveniences.

You may also be required make provisions to comply with the Disability Discrimination Act 1995. The Act gives disabled people various rights. Under the Act it is unlawful for employers and persons who provide services to members of the public to discriminate against disabled people by treating them less favourably for any reason related to their disability, or by failing to comply with a duty to provide reasonable adjustments. This duty can require the removal or modification of physical features of buildings provided it is reasonable.

The duty to make reasonable adjustments can be effected by the Building Regulation compliance. For compliance with the DDA please refer to the following guidance: -

- The Disability Discrimination Act 1995. Available to download from www.opsi.gov.uk
- Disability Rights Commission (DRC) Access statements. Achieving an inclusive environment by ensuring continuity throughout the planning, design and management of building and spaces, 2004. Available to download from www.drc-gb.org.
- Code of practice. Rights of access. Goods, facilities, services and premises. Disability discrimination act 1995, 2002. ISBN 0 11702 860 6. Available to download from www.drc-gb.org.
- Creating an inclusive environment, 2003 & 2004 - What it means to you. A guide for service providers, 2003. Available to download from www.drc-gb.org.

This is not a comprehensive list of Building Regulations legislation. For further information you should contact Building Control on 01895 250804/5/6 and 8.

7 115 Control of Environmental Nuisance from Construction Work

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with: -

A) Demolition and construction works should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank and Public Holidays.

B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.

C) The elimination of the release of dust or odours that could create a public health nuisance.

D) No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by

means that would minimise disturbance to adjoining premises.

8 I19 Sewerage Connections, Water Pollution etc.

You should contact Thames Water Utilities and the Council's Building Control Service regarding any proposed connection to a public sewer or any other possible impact that the development could have on local foul or surface water sewers, including building over a public sewer. Contact: - The Waste Water Business Manager, Thames Water Utilities plc, Kew Business Centre, Kew Bridge Road, Brentford, Middlesex, TW8 0EE.
Building Control Service - 3N/01, Civic Centre, High Street, Uxbridge, UB8 1UW (tel. 01895 250804 / 805 / 808).

9 I23 Works affecting the Public Highway - Vehicle Crossover

The development requires the formation of a vehicular crossover, which will be constructed by the Council. This work is also subject to the issuing of a separate licence to obstruct or open up the public highway. For further information and advice contact: - Highways Maintenance Operations, 4W/07, Civic Centre, Uxbridge, UB8 1UW.

10 I23A Re-instatement of a Vehicle Access.

You are advised by London Borough of Hillingdon, Highways Management, that any works on the Highway, in relation to the reinstatement of any existing vehicle access, must be carried out with approval from the Highway Authority. Failure to reinstate an existing vehicle access will result in the Highway Authority completing the works, and the developer may be responsible for the costs incurred. Enquiries should be addressed to: Highways Maintenance, 4W/07, Civic Centre, Uxbridge, UB8 1UW.

11 I24 Works affecting the Public Highway - General

A licence must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the public highway. This includes the erection of temporary scaffolding, hoarding or other apparatus in connection with the development for which planning permission is hereby granted. For further information and advice contact: - Highways Maintenance Operations, 4W/07, Civic Centre, Uxbridge, UB8 1UW

12 I25A The Party Wall etc. Act 1996

On 1 July 1997, a new act, The Party Wall etc. Act 1996, came into force.

This Act requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:-

- 1) carry out work to an existing party wall;
- 2) build on the boundary with a neighbouring property;
- 3) in some circumstances, carry out groundworks within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations or planning controls. Building Control will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by Building Control should be taken as removing the necessity for the building owner to comply fully with the Act.

13 I47 Damage to Verge

You are advised that care should be taken during the building works hereby approved to

ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense. For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

14 I6 Property Rights/Rights of Light

Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.

15 I49 Secured by Design

The Council has identified the specific security needs of the application site to be: Provision of secure doors and windows to proposed residential units, secure cycle storage facilities and secure boundary treatment to site including car parking and children's play area.

You are advised to submit details to overcome the specified security needs in order to comply with condition 18 of this planning permission.

16 I45 Discharge of Conditions

Your attention is drawn to conditions 3, 4, 8, 10, 11, 12, 14, 16, 17, 18, 20, 25, 27, 28, 30, 31, 32, 34, 35 and 36 which must be discharged prior to the commencement of works. You will be in breach of planning control should you commence these works prior to the discharge of these conditions. The Council may consider taking enforcement action to rectify the breach of these conditions. For further information and advice contact - Planning & Community Services, Civic Centre, Uxbridge, UB8 1UW (Tel: 01895 250230).

17

It is contrary to section 163 of the Highways Act 1980 for surface water from private land to drain onto the highway or discharge into the highway drainage system. The hardstanding should therefore be designed and constructed so that surface water from the application site is not able to drain onto the highway or into the highway drainage system.

18

The applicant is advised that further discussion is required with the Council's Access Officer to reflect changes in Council guidance on the internal layout of flats which are proposed as wheelchair accessible housing, in particular layouts that enable storage of mobility vehicles.

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises a 0.38ha area of land with frontages to Uxbridge Road, Grange Road and Elmlea Drive. Two industrial/business buildings and two dwelling

houses currently occupy the site. A car showroom with offices fronts onto Uxbridge Road. A large, pitched roof, single storey workshop building is located to the rear of the site to the rear of the showroom. Two semi detached dwelling houses front Grange Road.

The site is within the Hayes Village Conservation Area. The surrounding area is characterised by a range of land uses. The Uxbridge County Court is located on the opposite side of Grange Road with Metropolitan Open Land beyond. The western side of the site, along Uxbridge Road, is characterised by semi detached and detached dwelling houses.

Uxbridge Road Minor Town Centre is located on the opposite side of Uxbridge Road. Buildings within the Town Centre are two and three storeys in height and occupied by retail activities at ground floor with residential above. The Point West Building, a multi storey office block, is located to the north of Uxbridge Road and is visible within the local street scene.

3.2 Proposed Scheme

The application seeks full planning permission for the redevelopment of the site involving the construction of a residential flatted development comprising 11 one bedroom, 25 two bedroom, 8 three bedroom and 1 four bedroom units, 40 on-site parking spaces and associated landscaping. The scheme has been amended from 47 to 45 residential units since submission of the application.

The proposed development would comprise three blocks. All of the blocks would be 3 storeys in height. The main block would front Uxbridge Road with 2 smaller blocks located at the rear of the site, one on the corner of Grange Road and Elmlea Drive and the other fronting Elmlea Drive.

Vehicular access would be provided from Grange Road providing access to 40 on-site car parking spaces including a car club parking space. Communal amenity space would be provided at ground level and on the roofs of the proposed buildings. In addition, the majority of the units would be provided with balconies and private terraces.

The applicant has submitted various technical papers that describe the development and assess the impact of the proposal. These are summarised below:

*** Design & Access Statement**

This sets out a site analysis, design principles, the final design and access for the proposal. This statement includes a schedule of accommodation, provision of amenity space and details of access and accessible units.

*** Supporting Planning Statement**

This document sets out the planning issues relating to the proposed development. It sets out the site context, description of the proposal, planning history, pre-application consultations and planning policies relevant to the proposal.

*** Transport Statement**

This statement addresses transport matters relevant to the proposed application, describes the application site in relation to the immediate area and considers the existing conditions on the surrounding highway network.

It concludes that the proposed development would result in a reduction of two way vehicular trips which will benefit the operation of the local highway network in terms of capacity and highway safety.

*** Acoustic Assessment**

This report considers the main sources of noise affecting the site to be traffic noise from Uxbridge Road. As a result, the site would fall within the Noise Exposure Category (NEC) 'C' for both day and night time periods.

The noise report recommends the use of high performance acoustic glazing with options for secondary or double glazing, and acoustic ventilators with an option for mechanical ventilation. It also recommends the use of double layer SoundBloc or equivalent type plasterboard plus insulation to ceilings of the top floor rooms to prevent external noise break in via roof structure.

*** Air Quality Assessment**

The report confirms that the site is within the Area Quality Management Area and finds the site has a concentration of nitrogen dioxide levels below the annual mean air quality objectives. The report concludes that the road traffic emissions do not provide any constraints to the proposed development however the construction works have the potential to create dust and the overall impacts during construction are judged to be slightly adverse.

*** Energy Strategy/Sustainable Design and Construction Statement/Code for Sustainable Homes Pre-Assessment Report**

These three documents aim to address sustainability credentials for the proposal. The energy strategy identifies that the suitable renewable technologies suitable for the development are Solar Photovoltaic (PV) or Solar Thermal and concludes that the preferred solution is the use of Photovoltaics.

The sustainability and construction statement details how the proposed development has been designed to the high sustainability standards as set out in national environmental assessment methods and an integrated approach to a low-carbon, sustainable development has been taken, in order to maximise the environmental performance for the proposed site.

The code for sustainable homes pre-assessment report provides an initial assessment of the proposed scheme. The pre-assessment predicts a rating for the scheme of Code Level 3.

*** Contamination Assessment**

The report reviews potential contamination and recommends remedial measures will be needed to be incorporated. The minimum for the site will require the removal of any significant below ground source areas, i.e. underground storage tanks and hydrocarbon-contaminated soils in the vicinity of historic fuel storage areas and soakways.

3.3 Relevant Planning History

9912/APP/2008/3559 Land At 505-511 (Including 89-91 Grange Road) Uxbridge Road Hay
Redevelopment of site to provide 70 residential units with associated access, amenity space,
landscaping and car parking.

Decision: 16-03-2009 Refused **Appeal:** 23-10-2009 Dismissed

9912/APP/2008/3560 505-511 (Including 89-91 Grange Road) Uxbridge Road Hayes
Demolition of former workshop and garage buildings (Nos.505-509 Uxbridge Road) and
demolition of a pair of semi-detached dwellings (Nos.89-91 Grange Road) (Application for
Conservation Area Consent).

Decision: 16-03-2009 Refused **Appeal:** 23-10-2009 Dismissed

Comment on Relevant Planning History

Planning permission was refused on 16 March 2009 for the redevelopment of the site and the adjoining dwelling house at No. 511 Uxbridge Road to provide 70 residential units with associated access, amenity space, landscaping and car parking for the following reasons (Ref. 9912/APP/2008/3559):

1. The proposed development, by reason of its design, layout, height, siting and scale represents an over-development of the site, which would result in an unduly intrusive, visually dominant and inappropriate form of development, out of keeping with the character and appearance of the surrounding area and the street scene. Furthermore, the proposals would be detrimental to the character and appearance of the Hayes Village Conservation Area. The proposal is therefore contrary to policies BE4, BE13, BE19 and BE21 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).
2. The proposed development, by virtue of its site layout, poor quality of amenity space provision, proximity of car parking areas to habitable room windows, failing to meet the minimum floor area standards for some of the units proposed and lack of on site landscaping improvements would, as a combination, provide a poor quality of residential accommodation to the detriment of the amenity of future occupiers of the flats contrary to policies BE21, BE23 and BE24 of the Hillingdon Unitary Development Plan Saved Policies September 2007 and the London Borough of Hillingdon's Supplementary Planning Document on residential layouts.
3. The proposed four and three storey building, by reason of its siting and bulk, would have an overbearing and visually dominant impact on the residential amenity of 513 Uxbridge Road. The proposal is therefore contrary to policies BE13, BE19 and BE21 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).
4. The applicant has failed to provide a contribution towards the improvement of services and facilities as a consequence of demands created by the proposed development, including contributions to education, health, community facilities, libraries and construction training. The scheme therefore conflicts with Policy R17 of the adopted Hillingdon Unitary Development Plan Saved Policies September 2007 and Hillingdon's Planning Obligations SPD July 2008.
5. The applicant has failed to provide, through an appropriate legal agreement, an adequate provision of on site affordable housing. The proposal is therefore contrary to Policy Pt 1.17 of the London Borough of Hillingdon Unitary Development Plan Saved

Policies September 2007, the London borough of Hillingdon's Supplementary Planning Document on Planning Obligations and Policies 3A.10 and 3A.11 of the London Plan (February 2008).

6. The proposals do not properly demonstrate that existing trees of merit can be retained and sustained on site or that appropriate levels of tree planting can be implemented on site to assist with integrating the development into its surroundings. This is considered to be of detriment to both the character and appearance of the street scene and of the Hayes Village Conservation Area. The development is therefore considered contrary to policies Be4, BE13, BE19 and BE38 of the London Borough of Hillingdon's Unitary development Plan Saved Policies September 2007.

Conservation area consent was refused on 16 March 2009 for the demolition of the former workshop and garage buildings (Nos. 505-509 Uxbridge Road) and demolition of a pair of semi-detached dwellings (Nos. 89-91 Grange Road) for the following reasons (Ref. 9912/APP/2008/3560):

1. In the absence of an acceptable redevelopment scheme for this site, being one that retains and integrates the special historic and architectural qualities of the site, the proposal is contrary to Policy BE4 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), and Central Government advice contained in Planning Policy Guidance Note 15.

2. In the opinion of the Local Planning Authority, the demolition of the two existing semi-detached Victorian cottages on site, will detrimentally harm the character and appearance of the Hayes Village Conservation Area contrary to Central Government advice contained in Planning Policy Guidance Note 15 and policy BE4 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

Appeals against these decisions were dismissed on 23 October 2009. The Inspector considered the scheme to be unacceptable for the following reasons:

- * The proposed block fronting Uxbridge Road would present an over-dominant appearance and be incongruous with the neighbouring development pattern.

- * The very limited set backs of both blocks from Uxbridge Road and Grange Road would fail to reflect the open character of the conservation area.

- * The proposed courtyard would be dominated by car usage and as a consequence, the internal parts of the development would have a dull and uninteresting appearance.

- * A number of the ground floor flats would suffer from poor disposition, outlook and potential noise nuisance, particularly where kitchen and other habitable rooms were positioned directly in front of parking spaces. Furthermore, where undercroft parking was proposed, the amount of natural light reaching the respective adjoining windows would be unduly restricted.

- * The loss of No.511 and the introduction of a children's play area and parking spaces adjoining the western boundary of the development would be harmful to the living conditions of the neighbouring occupiers of No.513 Uxbridge Road in terms of noise and disturbance.

- * In the absence of a completed unilateral undertaking to secure the necessary planning

obligations, the proposed development would be harmful to the Council's objectives of achieving the provision of affordable housing and maintaining local services and facilities.

* In the absence of a valid permission for the redevelopment of the site, the demolition of the existing buildings would be detrimental to the character and appearance of the conservation area.

4. Planning Policies and Standards

Planning Policy Statement 1 (Delivering Sustainable Development) (January 2005)
Planning Policy Statement 3 (Housing) (November 2006)
Planning Policy Guidance Note 13 (Transport) (April 2001)
The London Plan (February 2008)
Hillingdon Unitary Development Plan Saved Policies (September 2007)
Hillingdon Design and Accessibility Statement - Residential Layouts (July 2006)
Hillingdon Design and Accessibility Statement - Accessible Hillingdon (July 2006)
Planning Obligations Supplementary Planning Document (July 2008)

The relevant policies of the Hillingdon Unitary Development Plan Saved Policies (September 2007) are referenced in the relevant section below.

UDP / LDF Designation and London Plan

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

- | | |
|--------|---|
| PT1.10 | To seek to ensure that development does not adversely affect the amenity and the character of the area. |
| PT1.16 | To seek to ensure enough of new residential units are designed to wheelchair and mobility standards. |
| PT1.17 | To seek to ensure the highest acceptable number of new dwellings are provided in the form of affordable housing. |
| PT1.18 | To maintain, enhance and promote town centres as the principle centres for shopping, employment and community and cultural activities in the Borough. |
| PT1.31 | To encourage the development and support the retention of a wide range of local services, including shops and community facilities, which are easily accessible to all, including people with disabilities or other mobility handicaps. |
| PT1.39 | To seek where appropriate planning obligations to achieve benefits to the community related to the scale and type of development proposed. |

Part 2 Policies:

- | | |
|------|--|
| BE4 | New development within or on the fringes of conservation areas |
| BE13 | New development must harmonise with the existing street scene. |
| BE18 | Design considerations - pedestrian security and safety |
| BE20 | Daylight and sunlight considerations. |
| BE21 | Siting, bulk and proximity of new buildings/extensions. |

BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE5	Siting of noise-sensitive developments
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
H3	Loss and replacement of residential accommodation
H4	Mix of housing units
H5	Dwellings suitable for large families
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
LE4	Loss of existing industrial floorspace or land outside designated Industrial and Business Areas
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **7th October 2009**

5.2 Site Notice Expiry Date:- **7th October 2009**

6. Consultations

External Consultees

The application was advertised as major development under Article 8 of the Town and Country Planning (General Development Procedure) Order 1995 and as development affecting the character and appearance of the Hayes Village Conservation Area under the Planning (Listed Buildings and Conservation Areas) Act 1990. In addition, 174 neighbours together with Hayes Village Conservation Panel and Townfield Residents Association were consulted.

In relation to the original scheme for 47 units, 7 replies, including 2 petitions signed by 63 and 100 persons respectively, were received objecting to the proposal on the following grounds:

1. Area is already crowded and very busy.
2. Scale and design of development would not be in keeping with the surrounding conservation area particularly with regard to the height adjacent to Grange Road and Elmlea Drive.
3. Loss of privacy to neighbouring residential properties in Elmlea Drive and Uxbridge Road.
4. Additional traffic would worsen existing highway conditions in Grange Road and Elmlea Drive and increase safety problems at junction of Uxbridge Road, Grange Road and Lansbury Drive.
5. Insufficient on-site parking resulting in overspill parking and traffic congestion in Grange Road and Elmlea Drive, particularly as access to the car park would be controlled by electric gate.

6. Adverse impact on pedestrian safety.
7. Loss of two good family homes which are an important part of the character of Hayes Village Conservation Area.
8. Loss of a mature tree in Elmlea Drive.
9. Proposed roof gardens would result in a loss of privacy to neighbouring residential properties and pose a safety risk.
10. Increased pressure on local services.
11. Loss of employment use on site.
12. If approved, application would set a precedent for the redevelopment of the adjoining dwelling at No.511 Uxbridge Road.
13. A box junction should be installed across the vehicular access due to the proximity of traffic lights to Uxbridge Road.

All those neighbours notified on the original scheme were re-notified of the revised scheme for 45 units. In addition, the lead petitioners have been notified of the most recent changes to the scheme since the meeting on 26 January 2010. No further replies have been received at the time of writing.

Internal Consultees

POLICY & ENVIRONMENTAL PLANNING TEAM

Site

The proposal site is located in the Hayes Village Conservation Area adjacent to the Uxbridge Road Minor Town Centre (on the opposite side of the Uxbridge Road). The site is in an air quality management area. The site currently contains a vacant garage and is adjacent to a residential area. Part of the site is contaminated.

London Plan Consolidated with Alterations since 2004 (2008)

Economy and Employment

Through Policy 3B.1 Developing London's Economy seeks to promote London's economy. Policy 3B.5 Strategic Employment Locations requires local planning authorities to consider the retention of the most suitable employment sites and the release of surplus sites in the light of strategic and local assessments.

Residential

The London Plan states the need for housing density to relate to location and setting in terms of existing building form and massing, and the index of public transport accessibility when considering new developments. Reference to the London Plan's index for density and public transport accessibility (PTAL) is given below. The site has a PTAL score of 3 (based on PTAL map September 2006).

The London Plan refers to the need to maximise intensification and states in Policy 3A.3 that Boroughs should, ensure that development proposals achieve the highest possible intensity of use compatible with the local context. This is developed further in Table 3A.2 Density matrix (habitable rooms and dwellings per hectare)

The GLA have written to all London boroughs saying that it is reasonable and appropriate for boroughs such as Hillingdon to require all new housing to be built to 'Lifetime Homes' standards and 10% of new housing to be wheelchair accessible, as indicated in London Plan Policy 3A.4. The London Plan forms part of the development plan for Hillingdon and as a more up-to-date plan than the UDP, the requirements of Policy 3A.4 should be applied when considering proposals for new housing.

Climate Change

The London Plan (2008) has introduced a number of policies relating to the mitigation and

adaptation to climate change. Policy 4A.7 Renewables seeks a 20% reduction of a site's carbon emissions from on site renewable energy generation unless it can be demonstrated that such provision is not feasible.

Main Policy Issues

Land Use

In establishing the principle for the proposal four key issues need to be addressed. First the loss of the garage/employment use, second the impact on the neighbouring town centre, third the suitability of the site for housing and fourth the impact on the conservation area.

Loss of the Garage/ Employment Use

Policy LE4 considers proposals which involve the loss of existing industrial floorspace or land outside designated industrial and business areas. Whilst the garage is a Sui Generis use, the workshop type functions would bring it within industrial floorspace consideration. The site is immediately adjacent to a residential area. There are vacant sites in nearby designated employment locations which are considered more appropriate for industrial and warehousing activities. As a result Policy LE4's requirements are met in terms of the re-use.

Impact on the Town Centre

Pt1.18 seeks to maintain, enhance and promote town centres as the principal centres for shopping, employment and community and cultural activities in the Borough. The additional housing would increase the size of the local catchment for the Uxbridge Road Minor Town Centre which would contribute to the vitality and viability of the centre in accordance with Planning Policy Statement 6 Planning for Town Centres (2005).

Suitability of the Site for Housing

The site is adjacent to an existing residential area. As there is an established need and the re-use of brownfield land is encouraged, provided site specific issues are addressed, the principle for the re-use of the site for residential can be established.

Residential Density

In terms of density Table 3A.2 of the London Plan is relevant. 45 units with 136 habitable rooms would be provided on the 0.38ha site. This equates to 118 u/ha and 358 hr/ha at an average density of 3.02 hr/u. The London Plan, for sites with an urban character close to town centres where the Public Transport Accessibility Level (PTAL) score is 2-3 has an indicative density range of 200-450 hr/ha. The proposed density would be considered appropriate provided site specific issues including amenity space provision, complying with lifetime homes standard and impact on neighbouring properties is taken into account.

Impact on the Conservation Area

Officers would need to be satisfied that the scheme is appropriate with regards to the character of the conservation area.

Secondary Policy Issues

Mix of Housing

The proposed mix should, subject to confirmation from housing, meet the requirements of Policy H4.

Affordable Housing Provision

The Affordable Housing Supplementary Planning Document (2006) seeks 50% affordable housing provision in terms of habitable rooms on developments of 15 or more units subject to the provision of an economic viability assessment where provision is less than 50%. The proposal would provide 65 affordable habitable rooms out of a total 136 which equates to 47.8%.

Air Quality

The site is in an air quality management area. Officers would need to be satisfied that appropriate measures have been taken to mitigate for air quality.

School Provision

A financial contribution to school places should be sought in accordance with the provision of the SPG.

Energy

The London Plan seeks major applications to undertake an energy assessment to demonstrate that steps have been taken to apply the Mayor's Energy Strategy. Whilst an energy strategy has been provided, it will be necessary to condition the final mix of renewables to achieve the 20% on site energy related carbon emissions reduction.

Conclusion

There is no in principle objection to the scheme provided that the site specific issues are addressed, including air quality and onsite renewables provision.

ENVIRONMENTAL PROTECTION UNIT

Noise

The application contains an acoustic consultant's report that confirms that traffic noise is a constraint. The site falls within Noise Exposure Category 'C' of PPG24 'Planning and Noise' which states that 'Planning permission should not normally be granted. Where it is considered that permission should be given, for example because there are no alternative quieter sites available, conditions should be imposed to ensure a commensurate level of protection against noise.' It is assumed that there are valid policy reasons for approving the application.

The consultant's report recommends means by which the effects of traffic noise can be mitigated in habitable rooms. The consultant's recommendations are accepted. The mitigation would mean that noise levels within those rooms would meet the 'reasonable' standards for such rooms specified in Table 5 of British Standard BS8233:1999. In order to prevent this issue becoming a further condition it is recommended that the developers adhere to the Acoustic Report by Philip Acoustics Ltd and confirm that the glazing units will be constructed and installed so as to minimise noise disturbance.

Air Quality

The Air Quality Assessment by Air Quality Consultants suggests that the levels will be suitable for the future residents of the proposed scheme, however it does not address the potential impact of the proposed scheme on local air quality. Rather than asking for a further air quality report to be provided the applicant should be required to take appropriate measures to limit any impact. This would include producing a green travel plan which should include personal travel plans for the future residents to encourage use of public transport.

The report also sets out mitigating measures during the construction stage to minimise impacts upon nearby residential properties. It is requested that the applicant adheres to this advice and with this in mind attention is drawn to the following advice:

Dust

Control of construction dust should be proportionate to the scale of the potential impacts and relevant to the circumstances of each construction site. Generally dust can be controlled by: good management practice; proper handling and storage of dusty materials; regular sweeping and cleaning of areas and roads; sheeting, enclosure or covering dusty materials, HGV's and dust generating activities; wind sheeting; wetting down activities which generate significant emissions of dust; siting dust generating materials and activities away from sensitive receiver locations and the

use of plant with dust arrestment equipment.

For large construction sites, assessment and monitoring of dust levels may be appropriate.

The scheme should also include these measures that will be put in place to supervise the works so that all steps are taken so as to minimise the emission of dust.

CONSERVATION AND URBAN DESIGN OFFICER

The site lies at an entrance to the Hayes Village Conservation Area. It comprises a number of buildings of various ages, character and quality, and has frontages onto Uxbridge Road, Grange Road and Elmlea Drive.

The current scheme requires the demolition of the two cottages fronting Grange Road, the garage buildings and the commercial buildings fronting Uxbridge Road. There is no objection to the loss of the garage and the buildings immediately behind, but the houses do have some merit. However, on balance, it is not considered that it would be reasonable to withhold consent for the demolition of the cottages provided the design of the proposed scheme is appropriate to the character and appearance of the conservation area.

With regard to the proposals, which have been subject to discussion with officers, the general bulk, massing and detailed design of the scheme are now considered acceptable from a conservation and design point of view.

Whilst the detailed design of the scheme is not traditional in approach, given the varied appearance of the immediate surroundings and the existing unsightly industrial buildings on the site, the new development is considered to be an improvement. It would provide a 'landmark' on this prominent corner at the entrance to the Conservation Area.

The revised design now provides a good sized set back on the corner of Uxbridge Road and Grange Road, which would reflect the more open character of the setting of the modern court building opposite. The detailed design of the proposed elevations is considered to be lively and interesting. The height of the buildings would respect that of the existing buildings on the Uxbridge Road frontage and the bulk on this frontage has been considerably reduced in comparison with the previously refused scheme.

The elevations of the new buildings would be 'broken' by the stepped building line on Uxbridge Road, a feature of the adjacent residential properties, and also by the staircase glazing, balconies and interesting rooflines. The new buildings, whilst designed around a courtyard, would also positively address the Uxbridge Road, Grange Road and, to a certain extent, Elmlea Drive frontages. The proposed doors and garden areas at ground floor and the glazed staircases would provide a level of activity and visual interest onto these roads. To the rear, the existing two storey industrial buildings sit directly on the boundary with Elmlea Drive and there is no objection in design terms to part of the proposed buildings repeating this feature.

The quality of the current scheme is such that no further objection would be raised to the demolition of the cottages fronting Grange Road.

There is no objection to the proposal. Any planning permission should be linked to the application for conservation area consent to prevent premature demolition. There is also a need to further discuss materials and finishes, particularly of the coloured panels and cladding. A condition requiring the submission of samples for agreement of all the external finishes (including colours) should be imposed in the event of planning permission being granted. Details of the landscaping (hard and soft), the design of the gates, barrier and boundary treatments should also be required

by condition. In addition, the architectural detailing of some elements of the scheme, such as the timber trellises and balcony railings; the stair enclosure glazing, roof structure and solar panels; high level screens and various storage buildings will require the submission of more detailed drawings and additional information.

TREES AND LANDSCAPE OFFICER

I refer to the above application, East Anglian Land Surveys drawing no. 7031-2, ACS's Tree Survey and drawing No. TCP1, Yurky Cross's Design & Access Statement, drawing Nos. 08902/PL/01, 02, 03 Rev B, 04 Rev D, 05 Rev C, 06 Rev B, 07 Rev B, 08 Rev C, 09 Rev D, 10 Rev B, 11 Rev B, 12 Rev C, 13 Rev B, 14, 15, my previous comments (attached) and a recent site inspection:

The Site

There is a topographical survey, No. 7031, which shows all of the hard and soft features on the site and most of those immediately off-site - with the exception of the trees on the south-west boundary in Elmlea Drive. These trees appear as T20 (Common Ash) and T21 (Norway Maple) on the tree survey schedule - rated 'R' and 'B' - but are not shown on the tree survey drawing No. TCP1.

The current application site does not include the neighbouring property, house number 511, in which a number of trees are situated.

Trees on, and close to the site, are not protected by Tree Preservation Order but are protected by virtue of their location within a Conservation Area. I have no objection to the assessment of the quality and value of the trees which concludes that there are no 'A' grade trees on / close to the site, one grade 'B' tree - the offsite Norway Maple (T21).

The Proposal

The current proposal is to provide 45 No. residential units with associated access, amenity space, landscaping and car parking. The Design & Access Statement assesses the site and sets out clear design objectives, following the CABE guidance. A landscape analysis and design strategy is set out in pages 25, 26, and 49 -57 which includes the provision of tree planting along both the Uxbridge Road and Grange Road frontages - and within the internal courtyard. This design objective addresses a noted area of concern in previous submissions. The landscape proposals described on pages 51-57 show a commitment to providing high quality hard and soft landscaped spaces, including an outdoor play area, the encouragement of biodiversity (using Sedum roofs and bird boxes) and accessible, ornamental roof gardens within the amenity space provision. Indicative plant schedules and boundary treatments have been included at this stage.

Drawing No.04 Rev D shows the proposed ground floor plan which reflects the outcome of previous discussions with the applicant. The ground-floor landscape includes 4No. specimen trees along the Uxbridge Road frontage, 6No. trees along the Grange Road frontage and approximately 7No.trees within the inner courtyard. The ground-floor flats are set back from the public highway to provide space for private gardens. Car parking has been provided for 40 spaces including 5No. disabled bays and a car club space outside the entrance. Drawing No. 03 Rev B shows an indicative planting plan with possible species selection for agreement by condition.

The disposition of green roofs includes 'extensive' (Sedum) roofs for biodiversity and 'intensive' areas for access and enjoyment by residents, as shown on drawing No. 07.

Proposed elevations are shown on drawing Nos. 08 Rev C, 09 Rev D, 10 Rev B, 11 Rev B and 12 Rev C.

Recommendation

If you are minded to approve this application I have no objection subject to conditions TL5, TL6 and

TL7.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The application site has previously been used for business and commercial uses and at present, the site fronting Uxbridge Road is being used predominantly as a car sales yard. The buildings at the rear of the site are being used for tyre fitting, hand car wash and auto mechanics. The application site is not within an Industrial and Business Area (IBA). Policy LE4 states that proposals which involve the loss of existing industrial floorspace or land outside designated IBAs will normally only be permitted where:-

- i) The existing use seriously effects amenity, through disturbance to neighbours, visual intrusion or an adverse impact in the character of an area;
- ii) The site is unsuitable for industrial redevelopment because of its size, shape, location or lack of vehicular access;
- iii) There are no realistic prospects of land being used for IBA uses in the future;
- iv) The proposal is in accordance with the Council's regeneration policies.

Although the site is occupied, there are other vacant sites in nearby designated employment locations which are considered more appropriate for industrial and warehousing activities.

The employment buildings on the site are of very low quality and it is evident that the site would require a wholesale redevelopment in order to accommodate industrial and business activities.

The application site location is not considered suitable for continuous use by industrial or business uses due to the impact on nearby residential amenity.

The application does not provide any evidence to support the loss of the industrial floorspace, other than to advise that there has been no serious interest from prospective tenants and the current occupiers are on short-term leases.

However, a modern facility of such use can include 24 hour operations and as such, would not be compatible with the surrounding uses.

Accordingly, no objections are raised to the principle of redevelopment of the site, subject to the scheme satisfying other policies within the Unitary Development Plan.

7.02 Density of the proposed development

The proposed scheme would have a density of 355 habitable rooms per hectare (hrpha) or 118 units per hectare (upha). Having regard to the site's Public Transport Accessibility Level (PTAL) score of 3, the scheme would be within London Plan guidelines (200-450 hrpha and 70-170 upha in an urban setting). Therefore, the proposal is considered to be in accordance with Policy 3A.3 of the London Plan.

7.03 Impact on archaeology/CAs/LBs or Areas of Special Character

The application site is located within the Hayes Village Conservation Area, opposite the Uxbridge Road Minor Town Centre, adjoining residential development and in close proximity to Metropolitan Open Land. Accordingly, it is considered to be a sensitive site and presents an important opportunity to enhance the character and appearance of the

northern gateway to nearby parkland and the Conservation Area.

Policy BE4 of the Unitary Development Plan Saved Policies seeks to ensure that developments within or on the fringes of conservation areas preserve or enhance those features which contribute to their special architectural and visual qualities. Policy BE13 highlights the importance of designing new development to harmonise with the existing street scene while Policy BE19 seeks to ensure that new development within residential areas complements or improves the amenity and character of the area.

The current proposal has been significantly amended from the previous proposal for 70 residential units and in particular no longer involves the loss of No. 511 Uxbridge Road. The Conservation and Urban Design Officer has advised that the general bulk, massing and detailed design of the scheme, which has been subject to discussion with officers, are now considered acceptable from a conservation and design point of view. The quality of the current scheme is such that no further objection is raised to the demolition of the cottages fronting Grange Road. Consequently, it is considered that the scheme would not have a detrimental impact upon the street scene in Uxbridge Road or the character and appearance of the Conservation Area. As such, the scheme is considered to have addressed the previous reason for refusal and Inspector's concerns in this respect.

7.04 Airport safeguarding

Not relevant to the application.

7.05 Impact on the green belt

Not relevant to the application.

7.07 Impact on the character & appearance of the area

Policies BE13, BE19 and BE21 of the Unitary Development Plan Saved Policies seek to ensure that new development will complement and improve the character and amenity of the area. As the site falls within a Conservation Area this issue is considered to be adequately addressed in section 7.03 of the report.

7.08 Impact on neighbours

Policies BE20, BE21 and BE24 of the Unitary Development Plan seek to ensure that new developments do not have a detrimental impact on the residential amenity of neighbouring occupiers through loss of light, dominance or loss of privacy.

The Hillingdon Design and Accessibility Statement Residential Layouts Supplementary Planning Document provides further detailed guidance on the achievement of appropriate relationships.

The siting of the proposed building at the front of the site would not breach a 45 degree line drawn from the centre of the nearest habitable room window in the rear elevation of the adjoining dwelling at No. 511 Uxbridge Road. As such, there would be no undue loss of light to, or outlook from, this property. The proposed building at the rear of the site adjacent to the boundary with No. 511 Uxbridge Road would maintain adequate separation distances between Nos. 511 and 513 Uxbridge Road and No. 12 Elmlea Drive in accordance with the guidelines in the Hillingdon Design and Accessibility Statement Residential Layouts Supplementary Planning Document. The proposed corner building at the rear of the site would maintain an appropriate relationship with the nursing home on the opposite side of Elmlea Drive. No other residential properties are directly affected by the proposed development.

With regard to the Inspector's concern in relation to the previous scheme regarding the

introduction of a children's play area and parking spaces on the western boundary of the development and their consequent impact on the residential amenity of the adjoining occupiers, the scheme no longer includes the loss of No. 511 Uxbridge Road or parking spaces on this boundary. Whilst the proposed play area would be located adjacent to the rear garden of No. 511, the area it would occupy presently forms part of the vehicular access to the existing garage workshop. As such, it is considered that the use of the play area would result in less noise and disturbance to the occupiers of No. 511 than the current use of the site.

As such, it is not considered that there would be any undue impact on the amenities of the occupiers of neighbouring residential properties by reason of loss of light, outlook, privacy, noise or disturbance.

7.09 Living conditions for future occupiers

Policies BE20, BE23 and BE24 of the Unitary Development Plan Saved Policies seek to ensure that adequate residential environments are provided for occupiers through ensuring adequate provision of daylight, external amenity space and privacy. The Hillingdon Design and Accessibility Statement Residential Layouts Supplementary Planning Document provides further guidance on these issues.

Each of the proposed units would receive adequate levels of daylight and privacy.

The development provides 1478 sq metres of amenity space in the form of roof gardens, balconies, terraces and communal amenity space at ground level. This provision is in excess of the numerical guidelines in the Hillingdon Design and Accessibility Statement Supplementary Planning Document, which recommends a minimum area of 1120 sq metres.

With regard to the provision of children's play space, the scheme proposes a play area of 209 sq metres at ground level. This would be adequate to meet the needs of 0-4 year olds at the development. With regard to older children, Park Road Green, which includes an equipped children's play area, is located within 400 metres of the site. In addition, Rosedale Park is also located within 400 metres of the site. As such, the scheme would accord with the guidelines in the Mayor of London's Providing for Children and Young Peoples Play and Informal Recreation Supplementary Planning Document (March 2008).

All of the proposed units would have floor areas in excess of the minimum guidelines in the Hillingdon Design and Accessibility Statement Supplementary Planning Document.

With regard to the concerns in relation to the previous scheme regarding the proximity of car parking spaces to habitable room windows and the shadowing effect of the undercroft parking area, the scheme no longer includes an undercroft. Furthermore, car parking spaces have now been moved further away from habitable room windows. As such, it is considered that all of the residential units would now be provided with a satisfactory outlook and would not suffer unreasonably from potential noise nuisance.

Accordingly, it is considered that the proposal would provide an appropriate living environment for future occupiers.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The Council's Highways Engineer raises no objection to the development in terms of the impact of the traffic generated on the highway network. Whilst there is no objection in principle to the proposed access arrangements from Grange Road, the Highways

Engineer has requested that the proposed crossover be reduced in width by access to the proposed car club space being obtained from within the site rather than direct from the highway. Details of this can be secured by an appropriate condition in the event of planning permission being granted. In addition, the provision of a yellow box on the northbound side of Grange Road in front of the proposed access has been requested to enable vehicles to satisfactorily enter and leave the site when traffic is queuing at the signals on Uxbridge Road. This will be secured by the proposed Section 106 agreement.

In respect of car parking provision, the proposed provision of 0.87 spaces per residential unit is considered acceptable given the site's PTAL score of 3 and the provision of a car club space on the site (the previous scheme had 1:1 parking and a car club). In the event of planning permission being granted it is considered necessary to require a Green Travel Plan to be submitted to encourage more sustainable modes of travel to and from the site other than the private car. The travel plan is a S106 requirement under the recommendation 2 (vii). The scheme indicates on-site cycle parking facilities for 58 cycles. This is in accordance with the Council's minimum standards and can be secured by an appropriate planning condition.

7.11 Urban design, access and security

These issues are considered to be appropriately addressed elsewhere within this report.

7.12 Disabled access

This issue is considered to be appropriately addressed elsewhere in this report.

7.13 Provision of affordable & special needs housing

Policy 3A.9 of the London Plan states that UDP policies should set an overall target for the amount of affordable housing provision over the relevant plan period taking into account, amongst other things, the Mayor's strategic target for affordable housing provision that 50% of provision should be affordable and, within that, the London-wide objective of 70% social housing and 30% intermediate provision, and the promotion of mixed and balanced communities. The application proposes 47.8% of the habitable rooms on the site would be affordable of which 72.3% would be for social rent and 27.7% for shared ownership. The mix of affordable housing would comprise 4 one bedroom flats, 14 two bedroom flats, 1 three bedroom flat and 2 four bedroom flats.

The overall number of affordable habitable rooms proposed is slightly below London Plan policy requirements, but the shortfall is not significant and it is not considered that it would be reasonable to withhold planning permission on this ground. Furthermore, the application is accompanied by a financial viability appraisal that concludes that this is the maximum level of affordable housing which the scheme could provide whilst contributing towards other planning obligations. This has been validated by an independent consultant. As such, the applicant's proposed provision is considered acceptable and will be secured by the proposed Section 106 agreement.

Policy 3A.5 of the London Plan states that Boroughs should ensure that all new housing is built to 'Lifetime Homes' standards and that 10% of new housing is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users. The application proposes 5 wheelchair units (11% of the total number of units). All of the remaining units would be designed to 'Lifetime Homes' standards. These requirements can be secured by appropriate planning conditions.

7.14 Trees, landscaping and Ecology

Trees on the site are not subject to TPO's, but are subject to protection by virtue of their

location within a Conservation Area. The Council's Trees and Landscape Officer has reviewed the submitted Tree Survey and is satisfied with its findings, therefore no objections are raised to the proposals for tree retention/removal associated with the development.

The Design and Access Statement includes a landscape analysis and strategy, the fundamental principles of the landscape design are to enhance the street scene through tree planting, create a soft landscaped focal point within the site and provide secondary tree planting to soften the appearance of the internal courtyard.

The landscape proposals also show a commitment to providing high quality hard and soft landscaped spaces, including an outdoor play area, and ornamental roof gardens within the amenity space provision.

The proposed layout demonstrates the provision of significant additional tree planting, including 4 new trees along Uxbridge Road, 6 new trees along Grange Road and the provision of 7 trees within the courtyard. This proposed landscaping would serve to soften the development from the road frontages and assist in visually breaking up the car parking area.

Landscaping is also proposed to the rooftops. This would incorporate both hard landscape terrace and 'intensive' green roofs supplemented by planters and soft landscaping to provide usable amenity space; and 'extensive' sedum roofs which would provide additional visual amenity, in addition to supporting bio-diversity and sustainability agendas.

Consequently, it is considered that the revised scheme has addressed previous concerns regarding the lack of on site landscaping improvements and provides sufficient landscaping to accord with the requirements of Policy BE38. Subject to conditions to secure its implementation no objections are raised to this aspect of the scheme.

7.15 Sustainable waste management

The development includes the provision of a refuse and recycling store in the corner block at the rear of the site adjacent to the site entrance in Grange Road. The Council's Waste Services Division raises no objection to this which can be secured by an appropriate condition in the event of planning permission being granted. As such, the scheme would comply with Policy 4A.22 of the London Plan.

7.16 Renewable energy / Sustainability

Policy 4A.7 of the London Plan (Renewable Energy) requires major developments to show how the development would generate a proportion of the site's electricity or heat needs from renewables, wherever feasible. In line with advice from the Greater London Authority, the Council requires major developments to meet 20% of energy needs from renewable sources. The application is accompanied by an Energy Statement which provides proposals for renewable energy measures to provide at least 20% of the predicted energy requirements for the development. The preferred solution is the use of Photovoltaics. These measures can be secured by an appropriate condition in the event of planning permission being granted.

The development has also been designed to achieve a minimum of Level 3 of the Code for Sustainable Homes. Achieving this level of the Code would require a reduction in the building's carbon emissions of 25% below the current Building Regulations requirements and the incorporation of various other sustainability features. Achievement of this standard can be secured by an appropriate condition in the event of planning permission being

granted.

7.17 Flooding or Drainage Issues

The application is not located within a flood risk area and the proposal is not considered to give rise to any concerns relating to flooding or drainage.

7.18 Noise or Air Quality Issues

NOISE

An acoustic report has been submitted as part of the application. The study was prompted due to the proximity of busy roads adjoining the site. The site falls within Noise Exposure Category 'C' of PPG24 'Planning and Noise' which states that;

'Planning permission should not normally be granted. Where it is considered that permission should be given, for example because there are no alternative quieter sites available, conditions should be imposed to ensure a commensurate level of protection against noise'

The acoustic report recommended means by which the effects of traffic noise can be mitigated in habitable rooms. The mitigation measures would mean that noise levels within those rooms would meet the 'reasonable' standards for such rooms specified in Table 5 of British Standard BS8233:1999.

It is concluded that given the location and siting of existing residential development within the immediate vicinity, the Noise Exposure Category C limits should not outweigh or prohibit residential flats being established on this site, subject to appropriate noise mitigation provisions. It is considered that the issue of sound insulation can be addressed by the imposition of a suitable condition in the event that this application is approved.

AIR QUALITY

The Air Quality Assessment included with the application states that the levels will be suitable for the future residents of the proposed scheme. However it does not address the impact of the proposed scheme on local air quality. A green travel plan and/or incorporation of a car club strategy might assist to offset any emissions created by the development. This would also encourage the promotion of sustainable forms of transport.

7.19 Comments on Public Consultations

Issues 2, 3, 4, 5, 6, 7 and 11 are addressed within the body of the report.

Issue 1 is considered to raise concern at the general impact of a residential development on the site. Officer Comment - The principle of the development is addressed in the body of the report.

Issue 8 relates to concerns over the loss of a mature tree on Elmlea Drive. Officer Comment - The application does not propose the removal of any mature trees on Elmlea Drive and the Council's Trees and Landscape Officer is satisfied with the proposals for tree retention/removal.

Issue 9 raises concern that the proposed roof gardens would give rise to a safety issue. Officer Comment - It is not considered that roof gardens give rise to any particular safety issues, the construction of these would need to be carried out in accordance with the building regulations which would ensure they provide a safe environment.

Issue 10 relates to increased pressures on local services. Officer Comment - It is not considered the proposal would give rise to an unacceptable pressure on local services such as water supply, impacts on other aspects of infrastructure are addressed within the

Planning Obligations section of this report.

Issue 12 raises concern that, if approved, the development would set a precedent for the redevelopment of 511 Uxbridge Road. Officer Comment- It is not considered that the proposal would set a precedent as any subsequent application for the redevelopment of 511 Uxbridge Road would need to be considered on its individual merits.

Issue 13 suggests that a box junction should be installed across the vehicular access due to the proximity of traffic lights to Uxbridge Road. The Council's Highways Officer has reviewed the highways proposals and issues of highway/pedestrian safety and impacts on the operation of the highway network are addressed in the body of this report.

7.20 Planning obligations

Policy R17 of the Unitary Development Plan Saved Policies states that the Local Planning Authority will, where appropriate, seek to supplement the provision of recreation open space, facilities to support arts, cultural and entertainment activities, and other community, social and educational facilities through planning obligations in conjunction with other development proposals.

The application is accompanied by a financial viability appraisal which has been validated by an independent consultant. This concludes that with the delivery of 47.8% affordable housing by habitable room, the maximum contribution which the scheme could provide towards other planning obligations would be £100,000. This would be apportioned as follows: Education (£74,212), Health (£19,639), Libraries (£2,084) and Project Monitoring (£4,065). In addition, the applicant has agreed to provide a scheme for the provision of construction training and a Green Travel Plan for the site. The proposed planning obligations are considered reasonable in order to offset the impacts of the scheme on local services whilst still allowing development to take place and will be secured by the proposed Section 106 agreement which will also include the proposed highway works to Grange Road.

7.21 Expediency of enforcement action

N/A

7.22 Other Issues

None.

8. Observations of the Borough Solicitor

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

9. Observations of the Director of Finance

This is not applicable to this application.

10. CONCLUSION

The application is a revised proposal following the refusal of planning permission and conservation area consent for a previous scheme for 70 residential units. That scheme also included the demolition of the adjoining dwelling at No. 511 Uxbridge Road. Appeals to the Planning Inspectorate against these decisions were subsequently dismissed. It should be noted that the current scheme is substantially different from the appeal scheme. The scheme has been further reduced from 47 to 45 residential units since submission of the application.

The revised proposal is considered to have satisfactorily addressed the reasons for refusal and the Inspector's concerns in relation to the previous scheme and is now considered to be compatible with the character and appearance of the Hayes Village Conservation Area and the local context. It is therefore recommended that permission be granted subject to the applicant entering into an agreement with the Council under Section 106 of the Town and Country Planning Act 1990 (as amended) and appropriate conditions.

11. Reference Documents

Planning Policy Statement 1 (Delivering Sustainable Development) (January 2005)
Planning Policy Statement 3 (Housing) (November 2006)
Planning Policy Guidance Note 13 (Transport) (April 2001)
The London Plan (February 2008)
Hillingdon Unitary Development Plan Saved Policies (September 2007)
Hillingdon Design and Accessibility Statement - Residential Layouts (July 2006)
Hillingdon Design and Accessibility Statement - Accessible Hillingdon (July 2006)
Planning Obligations Supplementary Planning Document (July 2008)

Contact Officer: Mark Smith

Telephone No: 01895 250230

